ELGIN ORDINANCE

ORDINANCE NO. 1, SERIES 1976

AN ORDINANCE PROHIBITING DOGS FROM RUNNING AT LARGE, WHEN DOG IS PUBLIC NUISANCE, AUTHORIZING THE IMPOUNDING AND DESTRUCTION OF DOGS, PROVIDING FOR THE PROTECTION OF DOGS, PROVIDING A PENALTY FOR THE VIOLATION HEREOF, REPEALING ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

THE CITY OF ELGIN DOES ORDAIN AS FOLLOWS:

SECTION NO 1. DEFINITIONS

A. "DOG" shall include both male and female.

B. "OWNER" shall include any person, firm, or corporation owning, keeping, or harboring a dog.

C. "AT LARGE" is intended to mean off the premises owned or occupied by the owner, but a dog does not run at large when under the control of its owner or a custodian by an unseverable leash of not more than eight feet in length or when in or on a vehicle belonging to or being operated by its owner or custodians.

SECTION NO. 2

Running at Large Prohibited. No owner or keeper of any dog shall permit such dog to run at large.

SECTION NO. 3

When dog is Public Nuisance. A dog is a public nuisance if it:

(1) Bites a person;
(2) Habitually chases vehicles or persons;
(3) Damages or destroys property of persons other than the owner of the dog;
(4) Scatters garbage;
(5) Habitually trespasses on private property of persons other than the owner of the dog;
(6) Disturbs any person by frequent or prolonged noises; or
(7) Is a female in heat and running at large.

SECTION NO. 4

Protection of Dogs.

A. No Person shall place or expose any poisonous substance which, if taken internally, might cause death or serious sickness, to any person, domestic animal, or

fowl, in an exposed or public place.

B. It shall be the duty of any person operating a vehicle involved in an accident resulting in the injury or death of a dog to report the same to the Elgin Police Department by telephone or in person, and to make a written report within 24 hours after the occurrence of such accident giving the relevant information concerning the accident.

C. No person shall wilfully injure, torture, torment, mutilate, deprive of necessary food or water, cruelly kill or beat any dog.

Section NO. 5

Procedures.

A. Impounding: It shall be the duty of every Police Officer, and any other duly appointed or disignated person, to apprehend any dog found running at large and to impound such dog in the City pound, or other suitable place. The impounding officer shall make a record of the breed, color, sex, license number (if licensed), and name and address of owner (if known or reasonable ascertainable). If the dog is licensed in Union County, he shall inquire of the County Clerk as to the name and address of the owner.

B. Notice to Owner and Redemption: No later than three (3) days after impounding of any dog, the owner (if his name is known or reasonably ascertainable) shall be notified by certified mail of the impounding of the dog, or if the owner is unknown, written notice shall be posted no later than three (3) days and for a three (3) day period at the City Hall , describing the dog and the place and time of taking. The owner of any dog so impounded may claim such dog on licensing the same, and payment of the fees hereafter prescribed:

Impounding fee - $5.00
Notice Fee - $2.50
Maintenance fee - $1.50 per day

Fee for destruction and disposal of a dog at request of the owner shall be in the amount of $5.00.

C. Disposition of Unclaimed or Infected Dogs: It shall be the duty of the pound master to keep all dogs so impounded for a period of five (5) days from the giving or posting or notice. If on the expiration of

such period an impounded dog shall not have been claimed, it may be destroyed. Any dog suffering from rabies, mange, or other infectious or dangerous disease may be forthwith destroyed. After the expiration of the five (5) day period herein above prescribed from the filing or posting of notice, any dog not claimed by the owner may be claimed by any person on the licensing of the same and payment of the fees above prescribed.

D. Destruction of Vicious Dogs: Any dangerous, fierce, or vicious dog at large and which cannot be safely impounded, may be slain by any police officer or other duly appointed or disignated person.

E. Rabies: If any dog is suspected or having rabies or has been bitten by a dog suspected of having rabies, or has bitten any person, such dog shall be placed under the observation of a veterinarian. Any police officer or other duly appointed or designated person, is empowered to have such dog removed to a veterinary hospital. Reasonable fees and charges of the veterinarian shall be paid by the owner. Any person ascertaining or suspecting that a dog is rabid shall forthwith notify the City Recorder or the Police Department of the City, and a police officer or other authorized person shall remove the dog to a veterinary hospital or forthwith destroy it if that be in his judgement required.

F. Interference With Police Officer: No person shall hinder any Police Officer or other authorized person engaged in the duties prescribed by the Ordinance.

SECTION NO. 6

Penalties:

Any person violating any provision of this Ordinance shall upon conviction thereof, be punished by a fine of not more than $100.00

SECTION NO. 7

Repeal: Any existing Ordinance, or part of Ordinance, conflicting herewith is repealed so far as the same in conflict herewith.

SECTION 8.

Separability of Provisions: It is the intention of the City Council that each separate provision of this Ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the City Council that if any provisions of the Ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 9

It is hereby declared that existing conditions are such that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety, an emergency is hereby declared to exist and this Ordinance shall take effect and be in full force and effect from the date of its passage by the Common Council and its approval by the Mayor.

Passed by the council this 10 day of February, 1976, at 8:30 o'clock P M.

Approved by the Mayor this 10 day of February, 1976, at 8:30 o'clock P M.

Warren L. Stein
Mayor

Attest: Ronald O Scoubes
Recorder